IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7304 of 2006()

CRIME NO. 120/06 OF NEDUMANGAD EXCISE RANGE

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PETITIONER/ACCUSED

THANKAPPAN, AGED 52,
S/O.MARKOSE, CHARUVILAKATH PUTHEN VEEDU,
NEDUMVAYAL, KUTTICHAL, KOTTAYCHAKOM MURI,
ARYANAD VILLAGE, NEDUMANGAD TALUK.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE DIRECTOR GENERAL OF PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7304 of 2006

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DATED: 13-12-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in Crime No. 120/06 of Nedumangad Excise Range for offences punishable under Secs. 8(1) and 8(2) of the Abkari Act for having been found in possession of 10 liters of illicit arrack, seeks his enlargement on bail. The petitioner was arrested on 16-11-2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 16-12-2006 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kattakkada, and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

Sd/- **V.RAMKUMAR,**
JUDGE.

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